

## **REMARKS**

Claims 1-23, all the claims pending in the application, stand rejected on prior art grounds. Claims 1, 8, and 15 are objected to. Applicants respectfully traverse these rejections based on the following discussion.

### **I. The Prior Art Rejections**

Claims 1-23 stand rejected under 35 U.S.C. §102(b) as being anticipated by Russo, et al. (U.S. Patent No. 6,330,345), hereinafter referred to as Russo. Applicants respectfully traverse these rejections based on the following discussion.

The claimed invention provides a method of matching a query fingerprint to a plurality of file fingerprints. In the rejection, the Office Action argues that Russo discloses many features of the claimed invention. However, nothing within Russo teaches or suggests matching a query fingerprint to the “diagnostic data” (which the Office Action asserts teaches the “file fingerprints” of the claimed invention). Instead, the “diagnostic data” is data stored in memory that is used to correct captured fingerprint images “to form a resultant image that is of higher quality”. Thus, Applicants submit that Russo discloses methods for fingerprint “adjustment” (i.e., adjusting the captured image to improve quality), not fingerprint “matching”. Therefore, as explained in greater detail below, Applicants respectfully submit that the prior art of record does not teach or suggest the claimed invention.

Applicants traverse the rejections because the prior art of record fails to disclose the claimed features of “performing a one-to-one matching of the query fingerprint only

with file fingerprints comprising a pre-determined rank in said ranked list”. Such features are defined in independent claims 1, 8, and 15 using similar language.

The Office Action argues that the “diagnostic data” of Russo teaches the “file fingerprints” of the claimed invention (Office Action, p. 3, para. 2-4). However, nothing within Russo teaches or suggests matching a query fingerprint to the “diagnostic data”. Instead, the “diagnostic data” is data stored in memory that is used to correct captured fingerprint images “to form a resultant image that is of higher quality”. Thus, Applicants submit that Russo discloses methods for fingerprint “adjustment” (i.e., adjusting the captured image to improve quality), not fingerprint “matching”.

In addition, Applicants traverse the rejections because the prior art of record fails to disclose the claimed features of “deriving a ranked list of the file fingerprints based on said identifying” (independent claims 1, 8, and 15).

The Office Action argues that the “scores” of Russo disclose the “ranked list” of the claimed invention (Office Action, p. 4, para. 2). However, the “scores” of Russo do not rank the “diagnostic data” (which the Office Action asserts teaches the “file fingerprints” of the claimed invention) based on whether each diagnostic data item includes a query partial feature of the query fingerprint. Instead, the “scores” of Russo are merely used to analyze the “image contrast” or the “ratio of black to white” of the captured images (Russo, col. 7, para. 3).

In addition, Applicants traverse the rejections because the prior art of record fails to disclose the claimed feature of, for each partial feature, deriving a list of all file

fingerprints which have said partial feature as one of their partial features (independent claims 1, 8, 15, and 22).

As discussed above, the Office Action asserts that the “diagnostic data” of Russo teach the “file fingerprints” of the claimed invention (Office Action, p. 3, para. 2-4). Moreover, the Office Action asserts that the “ridge” and “valley” of Russo teach the “partial feature” of the claimed invention (Office Action, p. 3, para. 2-4).

However, Russo does not disclose, for each ridge/valley, deriving a list of “diagnostic data” which have the ridge/valley. Instead, Russo merely discloses obtaining an image of a fingerprint by measuring differences in capacitance between a metal sensing plate and the ridges and valleys of a finger.

Nevertheless, nothing within Russo, including the portions cited by the Office Action, mentions deriving lists of “diagnostic data” (which the Office Action asserts teaches the “file fingerprints” of the claimed invention), wherein each list indicates all of the “diagnostic data” which includes particular ridges/valleys (which the Office Action asserts teaches the “partial features” of the claimed invention).

Therefore, it is Applicants’ position that the prior art of record does not teach or suggest many features defined by independent claims 1, 8, 15, 22 and that such claims are patentable over the prior art of record. Further, it is Applicants’ position that dependent claims 2-7, 9-14, 16-21, and 23 are similarly patentable, not only because of their dependency from a patentable independent claims, but also because of the additional features of the invention they defined. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

## **II. Formal Matters and Conclusion**

In view of the foregoing, Applicants submit that claims 1-23, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

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